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PATENT



ASHMET.002A2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : John G. Babish, et al.) Group Art Unit 1654
Appl. No. : 09/919,506)
Filed : July 31, 2001)
For : COMBINATIONS OF)
SESQUITERPENE)
LACTONES AND DITERPENE)
LACTONES OR)
TRITERPENES FOR)
SYNERGISTIC INHIBITION)
OF CYCLOOXYGENASE-2)
Examiner : Patricia A. Patten)

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RESPONSE TO COMMUNICATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This communication is in response to the Communication mailed February 11, 2003. The Examiner has required an election of a single disclosed combination of species of composition, specifically stating a) which sesquiterpene lactone species, b) which diterpene lactone species, c) which triterpene species, d) which conjugate compound, and e) which additional component, for prosecution on the merits.

Applicants hereby elect a) parthenolide as the sesquiterpene lactone species, b) andrographolide as the diterpene lactone species, c) oleanolic acid as the triterpene species, d) mono- or di-saccharides as the conjugate compound, and e) glucosamine as the additional component.

Claims 1-6, 11, and 16 read on the elected species. Therefore, prompt examination of these claims is respectfully requested.

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Applicants thank the Examiner for the indication that Claims 6, 11, and 16 now read on the elected invention. Applicants wish to note that all three of these claims serve as linking claims to the non-elected inventions pursuant to M.P.E.P. §809.03(A). Claim 6 links to Claims 7-10; Claim 11 links to Claims 12-15; and Claim 16 links to Claims 17-20.

Accordingly, upon allowance of any one of these linking claims, the restriction requirement relating to the linked dependent claims should be withdrawn pursuant of M.P.E.P. §809.02(c)(B).

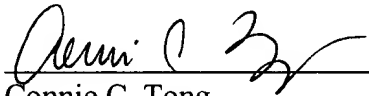
Moreover, Claims 21-42 are all process claims that ultimately depend from Claim 1, an elected product claim. Accordingly, upon allowance of Claim 1, rejoinder of Claims 21-42 pursuant to M.P.E.P. §821.04 is appropriate.

Should any clarification be needed, the Examiner is respectfully invited to contact the undersigned at the telephone number appearing below.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: April 8, 2003

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